

**PROFESSIONAL COUNSELOR'S SECTION
EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY
THERAPISTS AND PROFESSIONAL COUNSELORS**

**MINUTES
April 20, 2004**

PRESENT: LaMarr Franklin, Colleen James, Susan Kell (arrived 9:08) and Susan Putra

EXCUSED: None

STAFF PRESENT: Kimberly Nania, Director of Health Services; John Schweitzer, Legal Counsel; Gina York, Bureau Assistant, Division of Enforcement staff and others during portions of the meeting

GUESTS: Joseph D'Costa, DWD

CALL TO ORDER

Susan Putra, Chair, called the meeting to order at 9:05 a.m. There was a quorum of 4 members.

APPROVAL OF AGENDA

Additions to Agenda:

- Open Session: Add After Item K. – Request to approve supervisor for Allison E. Schneider, Stephanie Sallie Payne, and Gary Breuer
- Open Session: Add After Item L. – (M.) Review of Brochure for Applicants
- Open Session: Under Other Business: Add Psychometric Testing Approvals and Delegate to NBCC
- Closed Session: Under DOE Case Status Report: Add Case # 04 CPC 001

MOTION: Colleen James moved, seconded by LaMarr Franklin, to approve the agenda with the additions indicated. Motion carried unanimously.

APPROVAL OF MINUTES OF FEBRUARY 11, 2004

Amendments to the Minutes:

- Page 1: Change Ruby Jefferson-Moore to John Schweitzer.

MOTION: LaMarr Franklin moved, seconded by Colleen James, to approve the minutes on February 11, 2004 as amended. Motion carried unanimously.

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ADMINISTRATIVE REPORT

Kimberly Nania, Ph.D., Director of Health Services, provided an update to the Section regarding staff that has left the Department. Sandra Rowe is the Interim Deputy Secretary until a permanent appointment is made. Dr. Nania also shared the progress on the DRL Website and the latest on the building renovations.

The Section was reminded that due to the small number of members to this Section it is extremely important that members notify us if they cannot attend a meeting. We will assume you are coming unless you contact us. If you are not coming, Section members should contact Dr. Nania and then cancel their hotel room, if applicable, so the Department is not billed.

Dr. Nania reviewed the Department's hotel cancellation policy with the Section at today's meeting.

DEPARTMENT POLICY

1. If the Board Member is not going to use the reserved hotel room, it is the **responsibility of the Board Member** to cancel the room by calling the hotel themselves. If the room is not cancelled, the Board Member would be responsible to pay the bill.
2. If we cancel a meeting because of lack of quorum or no business, it should be our responsibility to cancel any room reservations.

PRESENTATION OF PROPOSED STIPULATIONS THAT MAY BE SIGNED AFTER MAILING OF THE AGENDA

There were no stipulations to be presented to the Section at today's meeting

REPORT ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES

John Schweitzer, Legal Counsel, reviewed the report with the Section at today's meeting.

RULE FOR FOREIGN DEGREES

John Schweitzer, Legal Counsel, provided a copy of the rule regarding foreign degrees. This rule is up for review and adoption this afternoon before the MFTPCSW Joint Board.

NCMHCE RULE

John Schweitzer, Legal Counsel, provided a copy of the NCMHCE rule regarding the mental health exam. This rule is up for review and adoption this afternoon before the MFTPCSW Joint Board.

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DRAFT LANGUAGE FOR AODA RULE WITH RESPONSE FROM WISCONSIN CERTIFICATION BOARD (WCA)

John Schweitzer, Legal Counsel, provided to the Section a copy of the draft language for the AODA rule. Attorney Schweitzer will make revisions as recommended by the PC Section. This rule will be before the MFTPCSW Joint Board this afternoon for all Sections to discuss and review the draft language in detail.

OTHER RULES REGARDING RECORD KEEPING

The Section reviewed other rules regarding record keeping and recommends a five-year limit. This will be discussed at the MFTPCSW Joint Board meeting later today. No action needed.

OPINION ON USE OF EEG

John Schweitzer, Legal Counsel, provided the Section with the following legal opinion regarding the use of EEG's.

OPINION OF LEGAL COUNSEL - (John Schweitzer, March 29, 2004)

In response to a query, the Section asked if the use of an electroencephalogram (EEG) is within the scope of a licensed professional counselor. It is my opinion that a licensed professional counselor may use an EEG in his/her professional practice if :

- the LPC is educated and trained in the interpretation of EEG results;
- the EEG is operated and administered by a person educated and trained in its operation;
- the LPC uses the EEG results for a purpose relevant to professional counseling, not to diagnose or treat medical disease; and
- the LPC documents in the patient's record the relevant professional reasons for using the EEG.

CREDENTIALING CHANGE TO BLUE LICENSE

Informational only.

QUESTION REGARDING APPLICANTS WITH GRANDFATHERED LICENSES

John Schweitzer, Legal Counsel, discussed with the Section a question regarding applicants holding as grandfathered license. If the individual is employed by the government and was certified under the grandfathering provisions, they may not renew if they leave government employment. If this happens, the person may obtain a non-grandfathered license by meeting the requirements for current licensure. This includes:

- ◆ Completing a new application and pay all fees
- ◆ Completing an acceptable master's program

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- ◆ Completing 3,000 hours of supervised professional counseling practice
- ◆ Taking and passing the national exam, and
- ◆ Taking and passing the jurisprudence exam.

Government employees may qualify to receive a training certificate, only if they have lost their job due to unusual circumstances, i.e. layoffs, etc.

Attorney Schweitzer, will be reintroducing the statute change for the next legislative session. Until then it is business as usual. He will also share this information at the MFTPCSW Joint Board meeting later today.

CREDENTIALING REQUEST TO APPROVE LCSW'S AS SUPERVISORS WHEN NO OTHER SUPERVISOR IS AVAILABLE

The Section discussed this issue and has requested that credentialing send forward all licensee's requesting an approval of a LCSW as a supervisor and indicating there is no other supervisor available.

REQUEST FOR APPROVAL OF SUPERVISORS

The Section requested that Julie Reimann, Credentialing, to send in her letters that the information provided in hardship letters should indicate where the individual has looked for supervisors.

KERRY JUNG

MOTION: LaMarr Franklin moved, seconded by Colleen James, to approve Jackie Paullin as supervisor for Kerry Jung. Motion carried unanimously.

ALLISON E. SCHNEIDER

MOTION: Susan Kell moved, seconded by LaMarr Franklin, to deny the request for supervisory approval. Reason for Denial: There is insufficient evidence that an appropriate supervisor was not readily available. Motion carried unanimously.

STEPHANIE SALLIE PAYNE

MOTION: Colleen James moved, seconded by Susan Kell, to deny the request for supervisory approval. Reason for Denial: There is insufficient evidence that an appropriate supervisor was not readily available. Motion carried unanimously.

GARY BREUER

MOTION: Susan Kell moved, seconded by LaMarr Franklin, to deny the request for supervisory approval. Reason for Denial: There is insufficient evidence that an appropriate supervisor was not readily available. Motion carried unanimously.

**CORRESPONDENCE REGARDING APPROVAL OF
PROGRAM**

MARK GREEN

John Schweitzer, Legal Counsel, will send a letter on behalf of the PC Section to Mark Green clarifying with Mr. Green that if he is providing training this is not under our jurisdiction, but if he is providing services he will need to be licensed in the state of Wisconsin.

CONSULTING WITH LEGAL COUNSEL

The Section has consulted with John Schweitzer, Legal Counsel, as needed throughout today's meeting.

REPORT OF SCREENING PANEL

LaMarr Franklin reported that the screening committee reviewed one case and it was not opened.

INFORMATIONAL ITEMS

Noted.

CONVENE TO CLOSED SESSION

MOTION: Susan Kell moved, seconded by Colleen James, to adjourn to closed session pursuant to Wisconsin state statutes 19.85(1)(a)(b)(f) and (g) – roll call for the purpose of all of the proposed stipulations; request for full licensure; and case status requests. LaMarr Franklin-yes, Susan Putra – yes, Colleen James-yes, and Susan Kell-yes. Motion carried unanimously.

Open Session recessed at 11:28 a.m.

RECONVENE INTO OPEN SESSION

MOTION: LaMarr Franklin moved, seconded by Colleen James, to reconvene into open session at 4:48 p.m. Motion carried unanimously.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION, IF
VOTING IS APPROPRIATE**

MOTION: Susan Kell moved, seconded by LaMarr Franklin, to accept the decisions made in closed session. Motion carried unanimously.

DIVISION OF ENFORCEMENT – CASE STATUS REPORT

MOTION: Susan Kell moved, seconded by LaMarr Franklin, to close case **04 CPC 001** for insufficient evidence. Motion carried unanimously.

APPLICATION REVIEWS

MOTION: Susan Kell moved, seconded by LaMarr Franklin, to approve the applications approved, deny the applications denied, and to request further information on applications where needed. Motion carried unanimously.

APPROVED

KIM M. GORECKI – Approved.
RANDALL E. KAHN – Approved
PAULINE A. PREUSS – Approved
JESSICA L. BECKETT– Approved
SYLVIA M. COHEN– Approved
MARIAH HEWITT– Approved
KERRY J. YOUNG– Approved
WADE A. RASMUSSEN– Approved
MICHELLE L. RASMUSSEN– Approved
VERNA P. BODINE– Approved
DARREN D. COX– Approved

DENIED

SUSAN J. ALTER – Denied
SHERRY L. PECK- Denied
MARGARET A. WEINKAUF- Denied
MARSHA A. GOIN- Denied
DEIRDRE L. DASLING- Denied
LESLIE A. DAVIS- Denied

MORE INFORMATION

TIMOTHY R. STRAIT – More Information
LOIS A. TAYLOR– More Information
MICHAEL L. SCHNAPP– More Information
TEENA M. ROSS– More Information

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OTHER SECTION BUSINESS

PSYCHOMETRIC TESTING APPROVALS

JAN JOHNSON

MOTION: Susan Kell moved, seconded by LaMarr Franklin, to approve if there is a valid verification of the supervisor's credentialing number. Motion carried unanimously.

RICHARD SNOW

MOTION: Susan Kell moved, seconded by LaMarr Franklin to approve if there is a valid verification of the supervisor's credentialing number. Motion carried unanimously.

MELISSA LEE

MOTION: Susan Kell moved, seconded by LaMarr Franklin, to request more information. Motion carried unanimously.

DELEGATE FOR NBCC

The Section took the following action regarding the NBCC Delegate.

MOTION: Susan Kell moved, seconded by LaMarr Franklin, to leave it up to the discretion of the Chair to appoint the NBCC delegate and attendees to the conference. Motion carried unanimously.

ADJOURNMENT

MOTION: LaMarr Franklin moved, seconded by Susan Kell, to adjourn the meeting at 5:10 p.m. Motion carried unanimously.

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